

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 12/9/2020
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DAMIEN REYES,

Plaintiff,

-v -

RIVERBAY CORPORATION,

Defendant.
-----X

1:18-cv-05092-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On December 4, 2020, the Court held a final pretrial conference. At the conference, the Court discussed the parties' motions *in limine*. Dkt. Nos. 122-1, 124. For the reasons stated on the record, Plaintiff's motions *in limine* are denied. Defendant's first, second, and fourth motions *in limine* are denied, while Defendant's third and fifth motions *in limine* are granted. Defendant's sixth motion *in limine* is granted in part and denied in part—the determination of the amount, but not the availability, of punitive damages, will be bifurcated into a second trial phase. Defendant is directed to write the Court by December 10, 2020 regarding Defendant's proposed procedure for adjudicating the second phase.

The Court also addressed the parties' motions to seal. Dkt. Nos. 122, 123, 128. For the reasons stated on the record, those motions are granted.

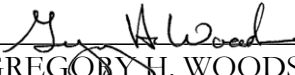
Moreover, the Court granted Defendant's application for an adjournment of the trial date, contained in Defendant's opposition to Plaintiff's application for testimony of certain witnesses to be taken by remote means. Dkt. No. 150. The Court will set a new trial date by separate order.

As stated on the record, the parties are directed to submit a joint letter to the Court by December 15, 2020 describing their positions regarding the temporal scope of this case and, if necessary, their proposed process for litigating that issue.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 122, 123, 124 and 128.

SO ORDERED.

Dated: December 8, 2020



GREGORY H. WOODS
United States District Judge